

FORM PTO-1390  
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

1817-0150PUS1

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**10 / 500 277**

INTERNATIONAL APPLICATION NO.

PCT/IE02/00107

INTERNATIONAL FILING DATE

July 26, 2002

PRIORITY DATE CLAIMED

December 31, 2001

TITLE OF INVENTION

AN ASSAY ASSEMBLY

APPLICANT(S) FOR DO/EO/US

Igor SHVETS; Dmitri KASHANIN; Dermot KELLEHER; and Vivienne WILLIAMS

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto (required only if not transmitted by the International Bureau). WO 03/060056
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4)
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
  - a. ☐ is attached hereto.
  - b. ☐ has been submitted to the Internal Bureau (See Box VIII-4-1 of the Request (PCT/R0/101), **copy attached**).  
The Power of Attorney or Authorization of Agent and Certificate under 37 CFR 3.73(b) Showing Chain of Title are: ☐ attached hereto. ☐ will follow.
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 20. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98, Form PTO-1449(s), and International Search Report (PCT/ISA/210) with 0 cited document(s).
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:  
Drawings - Twenty-Nine (29) Sheets

U.S. APPLICATION NO (if known, see 37 CFR 1.53) <b>NEW 10/500277</b>		INTERNATIONAL APPLICATION NO <b>PCT/IE02/00107</b>		ATTORNEY'S DOCKET NUMBER <b>1817-0150PUS1</b>	
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21. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. . . . . \$1,080.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO . . . . \$920.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO. . . . . \$770.00  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4). . . . . \$730.00  International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4). . . . . \$100.00 <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>	<b>CALCULATIONS      PTO USE ONLY</b>																					
<b>Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</b>	\$	920.00																				
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">CLAIMS</th> <th style="width:20%;">NUMBER FILED</th> <th style="width:20%;">NUMBER EXTRA</th> <th style="width:20%;">RATE</th> </tr> <tr> <td>Total Claims</td> <td>49 - 20 =</td> <td>29</td> <td>X \$18.00</td> </tr> <tr> <td>Independent Claims</td> <td>1 - 3 =</td> <td>0</td> <td>X \$86.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable) Yes</td> <td>+ \$290.00</td> </tr> <tr> <td colspan="3"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td><b>\$ 1862.00</b></td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total Claims	49 - 20 =	29	X \$18.00	Independent Claims	1 - 3 =	0	X \$86.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable) Yes			+ \$290.00	<b>TOTAL OF ABOVE CALCULATIONS =</b>			<b>\$ 1862.00</b>	\$	130.00
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<b>TOTAL OF ABOVE CALCULATIONS =</b>			<b>\$ 1862.00</b>																			
<input type="checkbox"/> Applicant claims small entity status. See 37 C.F.R. § 1.27. The fees indicated above are reduced by 1/2.	\$	0.00																				
<b>SUBTOTAL =</b>	\$	1862.00																				
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(f)).	\$	0.00																				
<b>TOTAL NATIONAL FEE =</b>	\$	1862.00																				
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property	\$	0.00																				
<b>TOTAL FEES ENCLOSED =</b>	\$	1862.00																				
	Amount to be:	\$																				
	refunded	\$																				
	charged	\$																				

a. ☒ A check in the amount of **\$1,862.00** to cover the above fees is enclosed.

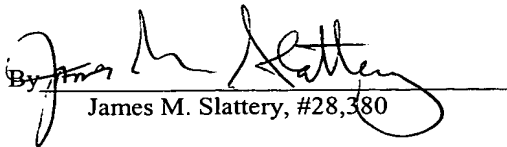
b. ☐ Please charge my Deposit Account. No. 02-2448 in the amount of **\$0.00** to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to Deposit Account No. 02-2448.

**NOTE: Where an appropriate time limit under 37 C.F.R. § 1.495 has not been met, a petition to revive (37 C.F.R. § 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

Send all correspondence to:  
**Birch, Stewart, Kolasch & Birch, LLP or Customer No. 02292**  
**P.O. Box 747**  
**Falls Church, VA 22040-0747**  
**(703) 205-8000**

**Date: June 29, 2004**

  
 James M. Slattery, #28,380

/clb